

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

The Court, after careful consideration of the plaintiff's complaint, the parties' briefs, all papers and exhibits filed in support of and opposition thereto, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and the balance of the record, does hereby find and **ORDER**:

- (1) The Court adopts the Report and Recommendation.
- (2) The final decision of the Commissioner is **AFFIRMED**, and this case is **DISMISSED** with prejudice.
- (3) The Clerk is directed to send copies of this Order to the parties and to Judge Tsuchida.

DATED this 31st day of March, 2011.

Richard D Jones

The Honorable Richard A. Jones  
United States District Judge